



008c/TFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent No.:	6,957,611)	
)	
Inventors:	William P. O'Donnell)	Examiner: M. Le
	Paul B. Aspengren)	
)	
Serial No.:	10/785,097)	Group Art Unit: 3617
)	
Issued:	October 25, 2005)	Confirmation No.: 8794
)	
For:	CONSTANT CONTACT SIDE)	
	ASSEMBLY FOR A RAILCAR)	

REQUEST FOR A CERTIFICATE OF CORRECTION

Pursuant to 37 C.F.R. §1.322

Certificate

NOV 10 2005

of Correction

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is a Certificate of Correction for U.S. patent No. 6,957,611 issued October 25, 2005. Upon reviewing the patent, as printed, the patentee has noted the following errors made by the United States Patent Office, which should be corrected as follows:

Column 10, line 37, "installed and, preferably snugly" should be -- installed and, preferably, snugly --;

Column 12, Claim 1, line 39 "securing said relative" should be -- securing said housing relative --;

Column 13, Claim 14, line 44, "said we housing" should be -- said housing --.

As to the error, at Column 10, line 37, a review of AMENDMENT "B" transmitted on June 8, 2005 by facsimile to the United States Patent and Trademark Office confirms this error was made in the printing of the patent since Pages 10 and 11 (copies enclosed) of AMENDMENT.

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In re Patent No.:

6,957,611

Application No.:

10/785,097

Issue Date: October 25, 2005

Inventors: W. P. O'Donnell;
P. B. Aspengren

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"B" used the correct punctuation -- installed and, preferably, snugly -- and not "installed and, preferably snugly" as improperly printed in the patent.

The error in Claim 1 is also a Patent and Trademark Office error, in that Applicant amended patent application Claim 26 (Patent Claim 1) in the same AMENDMENT "B" as mentioned above. Pages 17 and 18 of AMENDMENT "B" confirm this error was made in the printing of the patent since the AMENDMENT "B" clearly included the word -- housing -- after the word "said" and before the word "relative" in the penultimate line of patent application Claim 26 (Patent Claim 1).

The error in Claim 14 is also a Patent and Trademark Office error, in that Applicant amended patent application Claim 38 in the same AMENDMENT "B" as mentioned above. Page 21 of AMENDMENT "B" confirms this error was made in the printing of the patent since the AMENDMENT "B" clearly deleted the word -- walled -- between the words "said" and "housing" in the penultimate line of patent application Claim 38 (Patent Claim 14).

The June 22, 2005 Notice of Allowability (FORM PTOL - 37)(copy enclosed), received

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In re Patent No.:

6,957,611

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Issue Date: October 25, 2005

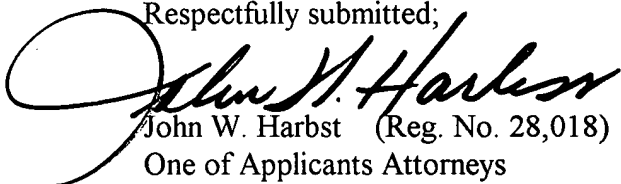
Inventors: W. P. O'Donnell;
P. B. Aspengren

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from the patent Examiner, indicates the "amendments filed on June 8, 2005" (AMENDMENT "B" mentioned above) resulted in the allowance of Claims 25 -30, 38-39, *inter alia*.

Since those errors noted above, for which a Certificate of Correction is sought, were the result of printing mistakes by the Patent and Trademark Office, no fee is due (35 U.S.C. §254).

Respectfully submitted;


John W. Harbst (Reg. No. 28,018)
One of Applicants Attorneys

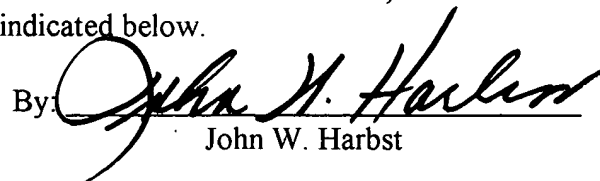
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CERTIFICATE OF MAILING

I hereby certify this Request for a Certificate of Correction along with any other papers associated therewith, are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents; P.O. Box 1450; Alexandria, Virginia 22313-1450 on the date indicated below.

Date: Nov. 3, 2005

By:


John W. Harbst

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**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 6,957,611

APPLICATION NO.: 10/785,097

ISSUE DATE : October 25, 2005

INVENTOR(S) : William P. O'Donnell; Paul B. Aspengren

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 10, line 37 "installed and, preferably snugly" should be -- installed and, preferably, snugly--;

Column 12, Claim 1, line 39 "securing said relative" should be -- securing said housing relative --;

Column 13, Calim 14, line 44, "said we housing" should be -- said housing --.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

JOHN W. HARBST
1180 LITCHFIELD LANE
BARTLETT, ILLINOIS 60103

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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and scope of the present invention. As mentioned, the side bearing assembly 40 is sized to longitudinally fit loosely within pocket 38 defined by the bolster receptacle 26. As shown in FIGS. 2 and 3, and after bearing assembly 40 is accommodated within the receptacle 26, the rigid and upstruck end walls 35 and 36 of the receptacle housing 26 are arranged in confronting and generally parallel but longitudinally spaced relation relative to the end walls 55 and 56, respectively, of the bearing housing 50. That is, an open-top opening or gap 82 is defined between the confronting walls 35, 55 and 36, 56, respectively, of the receptacle 26 and the bearing housing 50. As such, the side bearing assembly 40 is specifically designed to readily fit within pockets 26 of varying sizes on bolster 16, thus, adding great versatility to the invention.

Please amend Paragraph [0054] as follows:

[0054] In the illustrated embodiment, a locking member or spacer 84 is installed and, preferably, snugly inserted into each opening 82 defined between the confronting walls 35, 55 and 36, 56, respectively, of the receptacle 26 and bearing housing 50. Thereafter, each locking member or shim spacer 84 is fastened or secured, as by welding or a suitable mechanical device, preferably to the adjacent end wall of the receptacle 26 to inhibit longitudinal shifting movements of the bearing

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assembly 40 relative to the bolster 16.

Please amend Paragraph [0055] as follows:

[0055] As illustrated, each pair of confronting walls 35, 55 and 36, 56, respectively, disposed to opposed longitudinal sides of the axis 44 are preferably configured to further enhance securement of the bearing assembly 40 relative to the bolster 16. In that form shown in FIG. 6, each pair of confronting walls 35, 55 and 36, 56, respectively, disposed to opposed lateral sides of the axis 44 defined by the bearing assembly 40 defines a surface portion 86 which is inclined with respect to the other surface 88 such that the surfaces 86 and 88 angularly diverge relative to each other and away from the bottom 51 of the housing 50 or the upper surface 28 of the bolster 16 so as to provide the opening 82 with a generally wedge-shape. As will be appreciated, the preferable wedge-shape of the opening 82 enhances reception and retention of the wedge-shaped spacer 84 therewithin. In the embodiment illustrated in FIG. 2, only a lengthwise surface portion of the confronting walls of the walled receptacle 26 and side bearing assembly housing 50 is illustrated as inclined or diverging relation relative to the opposed surface portion as it extends from the bottom 51 of the housing 50 but it should be appreciated the entire length of the respective wall could be slanted or inclined without detracting or departing from the spirit and scope of the

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according to Claim 26, wherein said cap is adapted to telescopically move relative to and be guided by ~~the wall structure of~~ said housing, and wherein ~~the wall structure of~~ said housing and said cap are configured to promote the movement of air through said cavity and away from said spring.

Claim 26. (Currently Amended) A constant contact side bearing assembly adapted to be accommodated within a rectangularly shaped, open top receptacle ~~projecting from~~ on an upper surface of a railcar bolster, said receptacle having a pair of generally parallel and spaced side walls and a pair of generally parallel and spaced end walls, said constant contact side bearing assembly comprising:

a spring;

a housing ~~with wall structure~~ defining a cavity wherein said spring is accommodated, and wherein ~~the wall structure of~~ said housing has a generally rectangular shape including two ~~side walls~~ sides and two ~~ends walls~~ ends, with each side ~~wall~~ and each end ~~wall~~ of said ~~wall structure~~ housing being disposed to opposite sides of an axis defined by said side bearing assembly and extending generally normal to the upper surface of said bolster, and wherein the generally rectangular shape of ~~the wall structure of~~ said housing loosely fits within said open top receptacle

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on said bolster;

a cap positioned by and overlying an end of said spring, with said cap being guided for telescopic movements relative to said housing, and with said cap including a generally flat portion defining an upper extreme of said side bearing assembly after said side bearing assembly is arranged in operable combination with said railcar bolster; and

an apparatus for positively securing said housing ~~and positioning said side bearing assembly~~ relative to the railcar bolster.

Claim 27. (Currently Amended) The constant contact side bearing assembly according to Claim 26, wherein the ~~end walls~~ ends of said housing and the end walls of said receptacle define a pair of confronting surfaces disposed therebetween and to opposite sides of said side bearing assembly axis, and wherein said apparatus includes a pair of ~~wedge-shaped~~ wedge-shaped shims insertable into an opening defined between the confronting surfaces of each pair of confronting surfaces whereby securing said side bearing assembly to said bolster.

Claim 28. (Currently Amended) The constant contact side bearing assembly according to Claim 26, wherein the ~~end walls~~ ends of said housing and the end walls of said receptacle define a

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said cap being positioned relative to said housing and said walled receptacle by said spring.

Claim 37. (Canceled).

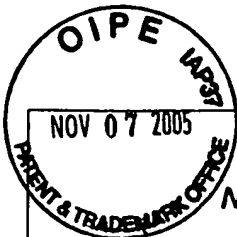
Claim 38. (Currently Amended) The constant contact side bearing according to Claim 26, wherein the recess defined by said ~~walled~~ housing extends through said housing and is open at opposite ends.

Claim 39. (Previously Added) The constant contact side bearing according to Claim 26, wherein an end of said spring engages a portion of the upper surface on said bolster surrounded by the walled receptacle.

Claim 40. (Canceled).

Claim 41. (Canceled).

Claim 42. (Canceled).



Notice of Allowability

Application No.

10/785,097

Examiner

Mark T. Le

Applicant(s)

O'DONNELL ET AL.

Art Unit

3617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendments filed on June 8, 2005.
2. ☒ The allowed claim(s) is/are 17-23, 25-30, 36, 38-39, 43-45.
3. ☒ The drawings filed on 2/24/04 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

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